

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

|                   |   |                                |
|-------------------|---|--------------------------------|
| ANNE J. FOWLER,   | ) |                                |
|                   | ) |                                |
| <i>Plaintiff</i>  | ) |                                |
| v.                | ) | Case No. 6:18-cv-00291-ADA-JCM |
|                   | ) |                                |
| SYNCHRONY BANK    | ) |                                |
|                   | ) |                                |
| <i>Defendant.</i> | ) |                                |

**DEFENDANT SYNCHRONY BANK'S  
OPPOSED MOTION TO COMPEL ARBITRATION AND DISMISS**

Defendant Synchrony Bank (“Synchrony”), pursuant to Federal Rule of Civil Procedure 12(b)(1) and Sections 3 and 4 of the Federal Arbitration Act (“FAA”), 9 U.S.C. §§ 1-16 (“FAA”), hereby moves this Court for an Order to Compel Arbitration. As set forth in Synchrony’s concurrently filed memorandum of law, which Synchrony incorporates herein, Plaintiff Anne J. Fowler entered into a credit card agreement with Synchrony which contain a binding Arbitration Provision, the scope of which include the present dispute. Because Plaintiff consented to resolve her disputes with Synchrony pursuant to arbitration, this Court should compel arbitration and dismiss this lawsuit.

Dated: March 11, 2019

Respectfully submitted

By: /s/ Michael H. Bernick

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**CERTIFICATE OF CONFERENCE**

The undersigned counsel certifies that on March 8, 2019 counsel for Synchrony Bank conferred with Plaintiff's counsel, Mr. Marwan Daher, regarding the relief sought. Counsel for Plaintiff indicated that he is opposed to the relief sought.

/s/ Michael H. Bernick

Michael H. Bernick

**CERTIFICATE OF SERVICE**

I hereby certify that on March 11, 2019 the foregoing document was filed electronically and served on all Parties through the Court's CM/ECF System.

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/s/ Michael H. Bernick  
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